

B

Airport and Maritime
Operations Manual

Appendix B

Completing Compliance Agreements

Contents

Introduction	page B-1-1
Procedures	page B-1-2
Uniform Standards for Compliance Agreements for Caterers	page B-1-3
Example of Caterer Attachment to PPQ Form 519, Compliance Agreement	page B-1-3
Uniform Standards for Compliance Agreements for Cartage Firms Moving Garbage Through Sparsely Settled, Farm, or Ranch Areas	page B-1-7
Example of Cartage Firms Moving Regulated Garbage Through Areas That Are Sparsely Settled or That Have Farms or Ranches Attachment to PPQ Form 519, Compliance Agreement	page B-1-7
Uniform Standards for Compliance Agreements for Cartage Firms	page B-1-9
Example of Cartage Firm Attachment to PPQ Form 519, Compliance Agreement	page B-1-9
Uniform Standards for Compliance Agreements for Regulated Garbage Processing	page B-1-11
Example of Processing Establishment Attachment to PPQ Form 519, Compliance Agreement	page B-1-12
Uniform Standards for Compliance Agreements with Aircraft Cleaning Firms	page B-1-14
Example of Aircraft Cleaning Firm Attachment to PPQ Form 519, Compliance Agreement	page B-1-14
Uniform Standards for Compliance Agreements for Cruise Ships With Caribbean, Mexico, or Bermuda Itineraries	page B-1-16
Example of Cruise Ships With Caribbean, Mexico, or Bermuda Itineraries Attachment to PPQ Form 519, Compliance Agreement	page B-1-16

Introduction




The *Completing Compliance Agreements* appendix provides detailed instructions for compliance agreements specifically attached to PPQ Form 519, Compliance Agreement. A compliance agreement is a signed, written agreement PPQ has with shippers, dealers, carriers, and garbage handlers and processors to indicate their understanding of methods, conditions, and procedures necessary for compliance with PPQ regulations.

PPQ Form 519, has a variety of uses in both domestic and foreign quarantine programs, and is used to formalize agreements with airline caterers, both maritime and airport garbage haulers, and airport processors. PPQ Form 519 is also used as evidence for a violation case.

Procedures

If an establishment fails to abide by the conditions of the agreement, then the PPQ Officer responsible for supervising the agreement may cancel that agreement orally or in writing. Review compliance agreements at least annually, but preferably twice a year. Amend compliance agreements as appropriate. Use **Table B-1-1** to determine which standards to use for the compliance agreement.

TABLE B-1-1 Determine Which Standards to Use for Compliance Agreement

If the compliance agreement ¹ is with:	And the garbage is moving through an area that is:	Then:
Caterer		See <i>Uniform Standards for Compliance Agreements for Caterers</i> on page B-1-3
Garbage hauler Cartage firm	Sparsely settled or having farms, ranches, or estates which may have farm animals, domestic or wild ruminants or swine	See <i>Uniform Standards for Compliance Agreements for Cartage Firms Moving Garbage Through Sparsely Settled, Farm, or Ranch Areas</i> on page B-1-7
	Characterized by cities and densely populated (nonagricultural)	See <i>Uniform Standards for Compliance Agreements for Cartage Firms</i> on page B-1-9
Processing establishment		See <i>Uniform Standards for Compliance Agreements for Regulated Garbage Processing</i> on page B-1-11
Aircraft Cleaning Firm		See <i>Uniform Standards for Compliance Agreements with Aircraft Cleaning Firms</i> on page B-1-14

- 1 If the disposal facility is operated by the same firm as the cartage firm, then make a single agreement attaching both the criteria for the operation of incinerators or cooker and for cartage. If the disposal facility is under separate ownership or management, then execute a compliance agreement.

Uniform Standards for Compliance Agreements for Caterers

Use this example of Uniform Standards for Compliance Agreements with a Caterer as an attachment to any compliance agreement (PPQ Form 519) you complete with a caterer. Fill in appropriate information where required. Delete information **not** applicable to the specific establishment.

Example of Caterer Attachment to PPQ Form 519, Compliance Agreement

This Compliance Agreement may be immediately canceled or revoked for noncompliance.

Any person who knowingly violates the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and/or the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

This Compliance Agreement is non-transferable.

1. Regulated Garbage Handling Procedures

Regulated garbage removed from foreign arriving aircraft will be:
(check appropriate boxes)

☐ Separated from domestic garbage at the same catering kitchen (if separation occurs, all the conditions of item F must be met)

☐ Incinerated; incinerator located at

(Address)

☐ Steam sterilized and contracted for landfill burial without diversion; sterilizer located at

(Address)

☐ Transported by an approved garbage hauler for incineration or sterilization

(Name)

(Address)

☐ Other

(Specify)

Scraping residue and runoff may be ground into an approved sewage system as defined in 7CFR 330.400 or 9CFR 94.5.

- A.** The caterer will meet aircraft originating from a foreign location (foreign flight) on arrival for the purpose of decatering the aircraft. The caterer will immediately notify the local Plant Protection and Quarantine (PPQ) office if unable to meet a flight on arrival, in which case the caterer will provide control over regulated garbage through assigned caterer airline personnel in a manner acceptable to PPQ.
- B.** Garbage removed from the aircraft will be continually maintained in enclosed receptacles with no leakage, no exposed garbage, and no holes in plastic bags until disposed of in an approved manner.
- C.** The caterer is responsible for all regulated garbage including food waste, loose trays of food, and unused meals and will **not** allow its unauthorized diversion, removal, or use.
- D.** The dock area and the area around garbage sterilizers, compactors, and/or dumpsters shall be kept clean and free of loose garbage. Compactor and dumpster leakage shall be contained in a manner acceptable to PPQ. APHIS-approved disinfectant must be kept at the catering facility for garbage spills and used after thorough pickup and cleaning. Disinfectant is **not** to be used in enclosed food handling areas. Do **not** maintain the prediluted disinfectant for more than 6 months.
- E.** If the caterer separates domestic from regulated garbage at the same catering kitchen—then the following conditions must be met:

 - i.** Identify foreign flight galley equipment to prevent its association with domestic flight equipment and/or garbage (either by tag, label, or designated location)
 - ii.** Keep regulated garbage segregated from domestic garbage in a segregated area marked foreign garbage until incinerated, sterilized, or removed by an approved cartage firm
 - iii.** Use easily identifiable containers for foreign garbage. Rigid containers shall be lettered with the words "REGULATED GARBAGE" or a similar acceptable phrase in English and any appropriate foreign language. Lettering shall be at least 2-inches high on indoor containers and at least 4 inches high on outdoor containers. Containers used for

regulated garbage shall **not** be used for domestic garbage, nor shall containers used for domestic garbage be used for regulated garbage

- F. Conspicuously post regulated, garbage-handling procedures in the work area. The procedures must be in English and other appropriate languages.
- G. PPQ will be notified of spillage. Cleaning and disinfection will be accomplished immediately. Disinfectants approved by PPQ must be available at the facility.

2. Equipment

A. If a sterilizer is used, it will be as follows:

- i. Capable of heating garbage to a minimum internal temperature of 212°F and maintaining it at that temperature for at least 30 minutes. To achieve this, the sterilizer will be calibrated for the following time/temperature setting.

Temperature setting _____ PSI _____

Minimum cooking cycle _____

A maximum load of _____ bags of garbage per cooking cycle is allowed

- ii. A thermocouple probe will be used initially and twice each year to recalibrate the temperature recording device and to adjust the sterilization cycle to assure that the garbage is heated to a minimum internal temperature of 212°F for at least 30 minutes. The test load shall be at the maximum capacity of the sterilizer and of typical composition for the location. Tests will be monitored by an employee of PPQ, Animal and Plant Health Inspection Service (APHIS), U.S. Department of Agriculture (USDA). The adjusted sterilization cycle will be followed.
- iii. The time and temperature record of each batch of foreign garbage shall be dated and initialed by the sterilizer operator and signed by the supervisor. It shall be retained at the establishment for at least 6 months and be available for review by PPQ representatives.
- iv. The bottom rear drain of the sterilizer unit will be cleared between each cycle to assure proper steam circulation and drainage. This is accomplished by removing and cleaning the strainer inside the drain and then flushing the drain with a water hose to dislodge any foreign debris, or by cleaning the strainer and flushing the drain with another system acceptable to PPQ.

- v. If the sterilizer or associated equipment (like the time and temperature recorder) malfunctions, then immediately report the malfunction to the local PPQ office.

- B. If an incinerator is used, it must reduce incinerated materials to an ash. Glass and metal shall be the only residue in the ash.

3. Training

- A. The establishment shall present a training program to employees before they are permitted to handle or supervise the handling of regulated foreign arrival flight materials. This training program should be at least 1 hour in duration. Previously trained employees shall be provided review training annually. (This training may be given in more than one session.)
- B. The training package must be approved by the local PPQ Port Director, and may include both formal classroom training and on-the-job training, as follows:
 - i. Definition of regulated garbage
 - ii. Explanation of the regulations and the purpose of the regulations
 - iii. Inclusion of film, slides, or other training aids on foreign animal and plant diseases and pests
 - iv. Specific outline—by demonstration, illustration, or picture, proper regulated garbage handling procedures for the facility, step-by-step from stripping of aircraft to disposal
 - v. Presentation in English and other appropriate languages
- C. Records of training administered to employees shall be made available to PPQ personnel upon request.

4. Backup System

In the event the primary garbage disposal system is inoperable, the local PPQ office must be notified in advance as to use of the following prearranged approved backup system: *(check one)*

- ☐ Incinerator located at

(Address)

- ☐ Sterilizer located at

(Address)

- ☐ Regulated garbage is to be retained aboard the aircraft¹

5. Environmental Protection

If there will be processing of garbage, make sure the following statement appears on the compliance agreement:

"By signing this agreement, the signer certifies that his/her facility has met or will meet the requirements of all applicable environmental authorities prior to handling garbage regulated by the Animal and Plant Health Inspection Service."

Uniform Standards for Compliance Agreements for Cartage Firms Moving Garbage Through Sparsely Settled, Farm, or Ranch Areas

Use this example of "Uniform Standards for Compliance Agreements with Cartage Firms Moving Regulated Garbage Through Areas That are Sparsely Settled or That Have Farms or Ranches" (as contrasted with areas that are densely populated or characterized by cities) with cartage firms that move regulated garbage through areas that are sparsely settled or that have farms or ranches. Regulated garbage is defined in 7CFR 330.400 and 9CFR 94.5. Attach these standards to any compliance agreement (PPQ Form 519) you execute with a cartage firm. Fill in appropriate information where required. Delete information **not** applicable to the specific establishment.

Example of Cartage Firms Moving Regulated Garbage Through Areas That Are Sparsely Settled or That Have Farms or Ranches Attachment to PPQ Form 519, Compliance Agreement

By signing this Compliance Agreement, the signatory certifies that the cartage firm has met, or will meet prior to handling APHIS garbage, the requirements of all other applicable environmental authorities. This agreement may be immediately cancelled or revoked for noncompliance.

Any person who knowingly violates the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and/or the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

This compliance agreement is non-transferable.

1. Transportation and Storage Procedures

¹ Any other option must be discussed with a HQ PPQ, VMO in PPQ, VRS.

- A.** The cartage firm must put its garbage into individual, small containers. The containers must be both leakproof and securely closed. These individual containers must then be put into a shipping or handling container that is also leakproof.
- B.** The garbage must be clearly indicated so that it can be identified as regulated garbage. The following are considered as appropriate indicators:
 - i.** Garbage bagged in red containers
 - ii.** Shipping or handling containers permanently marked with conspicuous, 2-to-4 inch high lettering that reads "REGULATED GARBAGE"
 - iii.** Containers tagged with at least a 3 x 5 inch tag that is printed with 1-inch high lettering that reads "REGULATED GARBAGE"
- C.** The handling containers must be put into an enclosed, rigid, leakproof carrier. A canvas top or tarp covering is unacceptable. Since the carrier will move through rural areas, it must be secured by a seal, lock, or similar device.
- D.** The cartage firm must provide for immediate, priority incineration or sterilization at destination.
- E.** The vehicle transporting the garbage should take a direct or expedient route. The closest available incinerator or cooker should be used.
- F.** The cartage firm must provide personnel and disinfectant to control the regulated materials in the event of a spill or other emergency. There must be an adequate supply of approved disinfectant on each vehicle in order to clean up and disinfect spills.

If spillage occurs during the cartage process, PPQ **must be** notified immediately. The firm must contact either the PPQ office at point of origin or at destination—whichever is most convenient.

- G.** To facilitate monitoring, the cartage firm must provide the following:
 - i.** Record of the date, time, number, type, and weight of the containers transported and garbage disposed of, and the name of the vehicle's driver. This record must be kept for 1 year from the end of the month that movement was made.
 - ii.** Inventory control system at the point of origin.
- H.** In order to store regulated garbage, the following conditions must be met:

- i. Material to be stored must be adequately containerized and marked.
- ii. Container, room, or other confined area where the regulated material is to be stored must be leakproof and capable of being locked. The material must be inaccessible to birds and rodents.
- iii. The cartage firm must provide for immediate, priority incineration or sterilization at destination.
- iv. The management of the cartage firm must maintain logs or records of regulated garbage that is stored. These records must be immediately available to PPQ for review.

2. Training

- A. The cartage firm must train all employees before they are permitted to transport or supervise the transport of regulated garbage.
- B. Each employee must receive refresher training at least once a year.
- C. The training **must be approved** by the local PPQ Port Director.
- D. The training must include the following topics:
 - i. Procedures for reporting and handling emergency spills
 - ii. Procedures for maintaining control of regulated materials
 - iii. Procedures for cleaning and disinfecting affected equipment and areas

Uniform Standards for Compliance Agreements for Cartage Firms

Use this example of Uniform Standards for Compliance Agreements for Cartage Firms (regulated garbage as defined in 7CFR 330.400 or 9CFR 94.5) as an attachment to any compliance agreement (PPQ Form 519) you complete with a cartage firm. Fill in appropriate information where required. Delete information **not** applicable to the specific establishment.

Example of Cartage Firm Attachment to PPQ Form 519, Compliance Agreement

This Compliance Agreement may be immediately canceled or revoked for noncompliance.

Any person who knowingly violates the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and/or the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

This Compliance Agreement is non-transferable.

1. Handling Procedures

Check the appropriate box or boxes:

- ☐ The cartage firm transports regulated garbage directly to a central place for further compacting and then directly to an approved disposal facility
- ☐ The cartage firm manipulates, handles, or stores regulated garbage in a manner approved by the local PPQ office and in a designated area before disposal. Storage of regulated garbage in plastic bags **must be** inside a closed building; if outside storage, garbage must be in sealed, plastic bags in a container with a tight-fitting lid
- ☐ The cartage firm transports without diversion regulated garbage directly from the USDA-APHIS approved catering establishment or carrier to the disposal facility in closed, leakproof containers
- A.** The cartage firm will maintain a log which will include the approved caterer or carrier name, date, and quantity of garbage (weight). This log will be made available to PPQ upon request.
- B.** PPQ will be notified of any spillage. Cleaning and air disinfecting will be accomplished immediately. APHIS approved disinfectant must be kept at the catering facility for garbage spills and used after thorough pickup. Disinfectant is **not** to be used in enclosed food handling areas. Do **not** maintain the prediluted disinfectant for more than 6 months.
- C.** The cartage firm will be responsible for all foreign food waste in its possession and will **not** permit misappropriation of any food items.
- D.** The cartage firm will use easily identifiable containers for foreign garbage. Rigid containers shall be lettered with the words "Foreign Garbage" or a similar acceptable phrase. Lettering shall be at least 2 inches high on indoor containers and at least 4 inches high on outdoor containers.

E. The truck/container to be used for a purpose **other than** hauling foreign garbage must have markings obliterated and be disinfected under PPQ supervision prior to such use.

F. All regulated garbage is to be kept completely separate from domestic garbage. Check appropriate box:

☐ Incinerated to ash at

(Name)

(Address)

☐ Approved steam sterilizer or cooker located at

(Name)

(Address)

2. Training

A. The cartage firm shall present a training program to all employees before they are permitted to handle or supervise the handling of regulated garbage.

B. The training **must be** approved by the local PPQ Port Director.

C. The training must include the following:

- i.** Definition of regulated garbage
- ii.** Explanation of garbage regulations and their purpose
- iii.** Film, slides, or other training aids on foreign animal/plant pests and diseases
- iv.** Specific outline step-by-step handling procedures for regulated garbage
- v.** Presentation in English or other appropriate languages

Uniform Standards for Compliance Agreements for Regulated Garbage Processing

Use this example of Uniform Standards for Compliance Agreements for Regulated Garbage Processing (regulated garbage as defined in 7CFR 330.400 or 9CFR 94.5) only as an attachment to any compliance

agreement (PPQ Form 519) you complete with a processing establishment. Fill in appropriate information where required. Delete information **not** applicable to the specific establishment.

Example of Processing Establishment Attachment to PPQ Form 519, Compliance Agreement

By signing this agreement, the signer certifies that his/her facility has met or will meet the requirements of all applicable environmental authorities prior to handling garbage regulated by the Animal and Plant Health Inspection Service.

This Compliance Agreement may be immediately canceled or revoked for noncompliance.

Any person who knowingly violates the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and/or the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

This Compliance Agreement is non-transferable.

1. Regulated garbage is processed by
(check appropriate box)

☐ Steam sterilized located at

(Address)

☐ Nonpressurized water cooker located at

(Address)

☐ Incineration; incinerator located at

(Address)

☐ Processed material is disposed at the landfill

(Landfill name)

(Location)

2. Equipment

- A.** Equipment for steam sterilization or nonpressurized water cooker is used. (Water cooker water level must be reasonably close to garbage level in cooker.)
 - i.** Must be capable of heating regulated garbage to a minimum **internal** temperature of 212°F and maintaining that temperature for 30 minutes.
 - ii.** Cooking equipment shall have a time/temperature recording device. (Water cooker probe must be below surface of water.)
 - iii.** Time/temperature record (chart) for each batch processed shall be initialed and dated by operator. It will be retained by establishment for at least 6 months and be available for review by PPQ.
 - iv.** A thermocouple probe will be used initially and twice each year to verify accuracy of recording device/heating cycle to assure that regulated garbage is heated to a minimum **internal** temperature of 212°F and held at that temperature for at least 30 minutes.
 - B.** If incinerator is used, incineration must be to an ash.
- 3.** Storage
- A.** Must be in an enclosed area.
 - B.** Spillage must be removed and area cleaned and disinfected in a manner approved by PPQ.
 - C.** Any material in contact with untreated, regulated garbage must also be processed as regulated garbage.
- 4.** A log must be maintained including the source (name), date, and quantity of the garbage processed.
- 5.** Training
- A.** The training program shall be presented to all employees before they are permitted to handle or supervise the handling of regulated garbage.
 - B.** The training **must be** approved by the local PPQ Port Director.
 - C.** The training must include the following:
 - i.** Definition of regulated garbage
 - ii.** Explanation of garbage regulations and their purpose
 - iii.** Film, slides, or other training aids on foreign animal/plant pests and diseases
 - iv.** Specific step-by-step outline of handling procedures for this establishment

v. Presentation in English or other appropriate languages

6. Environmental Protection

Uniform Standards for Compliance Agreements with Aircraft Cleaning Firms

Use this example of a Compliance Agreement with Aircraft Cleaning Firms as an attachment to any compliance agreement (PPQ Form 519) you complete with an aircraft cleaning firm. Fill in appropriate information where required. Delete information **not** applicable to the specific establishment.

Example of Aircraft Cleaning Firm Attachment to PPQ Form 519, Compliance Agreement

This Compliance Agreement may be immediately canceled or revoked for noncompliance.

Any person who knowingly violates the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and/or the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

This Compliance Agreement is non-transferable.

1. Definitions

- A. Trash**—Refuse that neither contains nor is visually contaminated with food waste. Trash is **unrestricted**. For example, trash that solely contains empty beverage cans would be unrestricted. Newspapers and magazines in the passenger cabin would also be unrestricted. However, an empty cardboard milk carton, sandwich, or fruit found in the passenger cabin would be considered as garbage as opposed to trash and would be restricted.
- B. USDA regulated garbage**—Garbage which is on or unloaded from any means of conveyance which has been in any port outside the continental United States and Canada within the previous 2 years.
- C. USDA, APHIS, PPQ**—United States Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection and Quarantine.

- D. PPQ Officer—A Plant Protection and Quarantine Officer employed by USDA.

2. Handling Procedures

- A. The cleaning firm must transport the regulated garbage directly from the carrier in closed, leak-proof plastic bags to an approved disposal facility.

Approved disposal facility

(Name)

(Location Address)

- B. The garbage removed from the aircraft by the cleaning firm must be: *(check the appropriate box)*

☐ Incinerated to ash at

(Name)

(Address)

OR

☐ Steam sterilized or cooked at

(Name)

(Address)

- C. The cleaning facility must immediately clean up and disinfect any spillage and report this spillage to PPQ. The cleaning facility must also keep a supply of an APHIS approved disinfectant on hand for garbage spills. **Never** apply disinfectant in an enclosed food handling area or on the aircraft. If household bleach is used to disinfect the garbage spill, make it up fresh (**never** more than 24 hours in advance).
- D. While cleaning international arrival flights, the cleaning firm is responsible for all food waste in its possession and must **not** allow misappropriation of any food items.
- E. The cleaning firm must use easily identifiable plastic bags for all food waste removed from the international arrival aircraft. All food waste must be incinerated or sterilized only.

3. Training

- A.** The cleaning firm must train all employees before they are permitted to handle or supervise the handling of regulated garbage.
- B.** The training **must be** approved by the local PPQ Director.
- C.** The training must include the following:
 - i.** Description of garbage that is to be collected by cleaners
 - ii.** Explanation of the garbage regulations and their purpose
 - iii.** Film, slides, or other training aids on foreign animal/plant pests and disease
 - iv.** Specific step-by-step outline of handling procedures for regulated garbage
 - v.** Presentation in English or other appropriate languages

Uniform Standards for Compliance Agreements for Cruise Ships With Caribbean, Mexico, or Bermuda Itineraries

Use this Uniform Standards for Compliance Agreements for Cruise Ships for cruise ship with Caribbean, Mexico, or Bermuda itineraries as an attachment to a compliance agreement (PPQ Form 519) you complete with cruise ships having Caribbean, Mexico, or Bermuda itineraries.

On cruise ships under compliance, passengers and baggage will **not** be routinely inspected. Board cruise ships with itineraries from other countries according to the guidance provided in this manual. Cruise lines that **do not** comply with the requirements of the compliance agreement will revert back to normal passenger clearance. Consult with your SPHD and Regional office before revoking a compliance agreement.

Periodically monitor the clearance of passengers and baggage to evaluate the risk of prohibited agricultural articles that may be associated with passengers and baggage. Inspect, unannounced, the passengers and baggage on up to 10 percent of the cruise ships with Caribbean, Mexico, or Bermuda itineraries. If possible, use x-ray or canine teams. Clearance of vessels (garbage and stores) will continue to be done according to current ship boarding guidelines.

Example of Cruise Ships With Caribbean, Mexico, or Bermuda Itineraries Attachment to PPQ Form 519, Compliance Agreement

This compliance agreement may be cancelled or revoked at any time.

Any person who knowingly violates the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and/or the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, a one year prison term, or both. Additionally, any person violating the PPA and/or the APA may be assessed civil penalties of up to \$250,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

This compliance agreement is non-transferable.

Attach the following conditions to PPQ Form 519, Compliance Agreement for cruise ships with Caribbean, Mexico, or Bermuda itineraries. Delete any information that is **not** applicable.

1. Passenger Clearance

- A.** Passengers and baggage on cruise ships with Caribbean, Mexico, or Bermuda itineraries will not be routinely inspected. USDA, APHIS, PPQ will periodically monitor the clearance of passengers and baggage to evaluate the risk of prohibited agricultural articles that may be associated with passengers and baggage.
- B.** Officials of the cruise ship are responsible for educating passengers and crew members concerning the requirements for bringing agricultural articles of the ship at the U.S. Port of Entry. Information should be provided using signage at all exits from the vessel, audio and/or video presentations, and amnesty bins. Information provided to passengers and crew must be approved by USDA, APHIS, PPQ prior to distribution.

2. Regulated Garbage Handling Procedures

- A.** Regulated garbage must be in covered, leak-proof containers inside the railing, according to 7CFR 330.400.
- B.** The PPQ office at the port of arrival must receive advance notification of the landing of regulated garbage. Removal of regulated garbage from the cruise ship must be supervised by a PPQ Officer or by a trained employee of an establishment that is under compliance with PPQ. Notification should be provided to the PPQ office at [telephone number] or [fax number].
- C.** Regulated garbage removed from a ship can only be transported by a PPQ approved cartage or hauling company. The transporting, heating (sterilization) or incineration must also be done under a compliance agreement.

3. Arrival Notification

- A.** The agent, owner operator, or vessel representative must provide USDA, APHIS, PPQ advance notification of arrival at least 12 hours prior to vessel arrival, according to 7CFR 330.111.

Arrival notification must include the following information:

- Name and registration of vessel
- Date and estimated time of arrival at the port
- Docking location
- Last two foreign ports
- Next port
- Number of passengers disembarking

- B.** Failure to comply with advance notification requirements could result in the issuance of a violation.

4. Vessel Inspection

- A.** All stores containing fruit fly host material from countries infested with fruit flies will be sealed to prevent the material from being removed from the ship. Breaking or tampering with a USDA, APHIS seal while the ship is in U.S. territorial waters, without permission from USDA, APHIS will result in a civil penalty. Compliance with sealing requirements will be monitored during periodic inspections.
- B.** All foreign origin agricultural items such as fresh fruits and vegetables, cut flowers, meat, and rooted plant material must stay on the ship. If foreign origin agricultural items are removed from the ship, they must be removed according to the requirements for regulated garbage (see section 2 of this agreement).